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CENTRAL FAX CENTER****MAY 09 2007****Practitioner's Docket No. 1279-291N1****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Timothy J. Deming

Application No.: 10/712,967

Group No.: 1654

Filed: November 14, 2003

Examiner: David Lukton

For: METHODS AND COMPOSITIONS FOR CONTROLLED POLYPEPTIDE  
SYNTHESISFacsimile  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION (37 C.F.R. § 1.321(c))****Identification of Person(s) Making This Disclaimer**

I, Robert Berliner, represent that I am the attorney of record.

**EXTENT OF DISCLAIMANT'S INTEREST**

The extent of the interest in this invention that the disclaimant owns is in the whole of this invention.

**DISCLAIMER  
(Obviousness-Type Double Patenting Rejection Over A Patent)**

Petitioner hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of the patent granted on Patent No. 6,680,365 filed on March 19, 1999, as shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the patent granted on the above-listed application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. Sections 154 to 156 and 173 of any patent granted on the application forming the basis of the double patenting rejection, namely, the patent granted on Patent No. 6,680,365 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. Section 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner

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terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

**DISCLAIMER FEE (37 C.F.R. § 1.20(d))**

Small entity--fee \$65.00.

**FEE PAYMENT**

Authorization is hereby made to charge the amount of \$65.00 to Deposit Account No. 50-3881.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Date: May 9, 2007



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